



# Board of Livestock Meeting Minutes

January 12 & 13, 2009

DRAFT

**Monday, January 12, 2009**

**Scott Hart Auditorium**

**Board of Livestock Members Present:**

Stan Boone, cattle producer  
Jan French, vice chair, cattle producer  
Brett DeBruycker, cattle producer  
Bill Hedstrom, chairman, dairy and egg producer  
Linda Nielsen, cattle producer  
Ed Waldner, swine producer  
Becky Weed, sheep producer

**Staff:**

Christian Mackay, executive officer  
Sherry Rust, administrative assistant, recorder  
Dan Turcotte, chief, Milk and Egg Bureau  
Tahnee Szymanski, field veterinarian  
Carol Olmstead, Meat Inspection Bureau

**Guests:**

Kraig Glazier, USDA APHIS Wildlife Services  
Aeric Reilly, Montana Woolgrowers Association  
Aerial Overstreet, Montana Stockgrowers Association  
Peter Bogusko, Buffalo Field Campaign  
Eric Newman, CROPP

**Call to Order** 1:00 p.m.

Chairman Bill Hedstrom introduced and welcomed newly appointed board member, Ed Waldner of Chester. Representing the pork industry Ed has 600 swine, 300 dairy cows 150 beef cattle, and 1500 laying hens.

**Board Communications:**

Becky Weed

- weather has been warm and soggy
- wondering when winter will start again

Brett DeBruycker

- has a rough December
- feedlot-feeding heavily
- ready for more moisture

Jan French

- couple, three inches of moisture this morning
- bad roads all the way to Great Falls
- re-delegated as a beef producer with only six head of hogs left
- cold weather, not much snow, lot of rain

Linda Nielsen

- mix of moisture, had rain, froze, then snow making it very difficult to get around
- temperatures at 30-40 below
- will be glad to see spring

Stan Boone

- more snow than he has ever seen this early in the year
- cattle are doing well

Bill Hedstrom

- total accumulation of 64 inches, snow and lots of snow, then rain causing ice problems
- have to plough daily to feed and avoid cattle falling

Ed Waldner

- lots of ice and snow
- difficult keeping roads open for trucks, etc

Christian Mackay

- cold and snow per reports around the state
- hay getting difficult to find
- keeping cattle fed up is a challenge

#### **Approval of Minutes:**

**The minutes of the November 17 and 18, 2008 meeting were approved as corrected.**

#### **Approval of Executive Officer Reports:**

**Jan French moved to approve the executive officer report as presented. Stan Boone seconded. The motion carried unanimously.**

Linda requested hard copy in the future. Christian promised to complete and submit them on a more regular basis.

#### **Approval of Chairman Interim Authorizations and Activities:**

Christian Mackay stated there were no chairman interim actions requiring board approval.

#### **Old Business:**

##### LETTER FROM BARRY ELLIS

Christian Mackay explained the background concerning this issue. Mr. Ellis was the owner of Baker Livestock in Baker in partnership with Ty Thompson at the time of the incident. Following receipt of the letter, Dr. Jeanne Rankin investigated and reported her findings.

- The partners purchased cattle through various markets, assembled them in Baker for testing and culling prior to shipment to Trans Ova.
- Culls were comingled, and some back tags removed prior to sale through Billings markets.
- Investigation discovered a January 1, 2007 letter sent to Packers & Stockyards from Mr. Ellis stating the intention to cease business as an auction yard effective January first.
- At the time of the incident addressed in the letter to the Department of Livestock, the property known as Baker Livestock, still owned by Mr. Ellis, was being used as a holding area, no longer as an active market.
- 81 cows were accumulated at the yards, bled, and samples sent to Diagnostic Lab.
- Some cattle were then shipped out prior to receipt of lab results.
- Half of that lot went to Iowa, where subsequent testing identified the positive cow.
- It was unclear originally from the yard records which animals were shipped and which ones were still at the market.
- Ellis received a \$5,000 fine from APHIS for removing back tags and shipping prior to test results

The board will review the letter and Dr. Rankin's rebuttal and then take action as needed.

#### **Division Report:**

CENTRALIZED SERVICES, George Harris

Appropriations Subcommittee 2009 Session/7% Vacancy Savings

- in addition to the normal 4% vacancy savings an additional 3% vacancy savings will be applied to all agencies
- 4% amounts to about \$290,000 per year as shown in the proposed budget at last board meeting
- additional 3% vacancy savings amounts to \$211,707 in FY 2010 and \$212,279 in 2011
- the department might be able to attain the savings through attrition
- Christian will meet with division & bureau heads to set the budgets for the next year and bring them to the board at the March meeting
- February 2<sup>nd</sup> is the budget hearing date for department

**Fiscal Notes**

- explained the process of doing fiscal notes
- about 25 completed in December
- has five on his desk to complete now

**Federal Grants 2009**

- reviewed balances and status of Federal Cooperative Agreements as of December 30, 2008

**Budget Status FY2009**

- reviewed the budget status for each individual division
- presented a State Special Revenue 2009

**Recess:** 2:35 p.m.

**Reconvene:** 2:55 p.m.

**Producer Organization Updates:****Montana Stockgrowers Association, Ariel Overstreet**

- great annual convention in December with over 600 attendees
- Dr. Zaluski gave a presentation and brucellosis update
- currently in the planning process 125<sup>th</sup> annual meeting June 10 – 13, Miles City

**Montana Farm Bureau Federation, Nicole Rolf**

- American Farm Bureau meeting, San Antonio, Texas
- holding Ag Coalition meetings in Helena now
- social hour and reception, Wednesday, 5 to 7 pm at Jorgensons
- everyone invited

**GUEST SPEAKER****Eric Newman, VP CROPP Cooperative**

- markets organic milk through this Midwest cooperative
- Organic Valley milk
- represents over 1300 dairy farmers
- discussed difference in code dates from state to state
- declined to join the Coremark lawsuit
- organic is growing, 20% over the last 5 years

**Ed Waldner**

- the pull date is providing quality milk for consumers

**Open Microphone:**

Chairman Hedstrom invited producers and guests to speak.

**Adjournment** 3:45 p.m.

**Executive Session:** Legal Strategy

**Tuesday, January 13, 2009**

**Scott Hart Auditorium**

**Board of Livestock Present:**

Stan Boone, cattle producer  
Jan French, vice chair, cattle producer  
Brett DeBruycker, cattle producer  
Bill Hedstrom, Chairman, dairy and egg producer  
Linda Nielsen, cattle producer  
Becky Weed, sheep producer  
Ed Waldner, pork producer

**Staff:**

George Edwards, Livestock Loss Reduction & Mitigation  
John Q Grainger, administrator, Brands Enforcement Division  
George Harris, administrator, Centralized Services Division  
Dr Bill Layton, administrator Diagnostic Laboratory  
Christian Mackay, executive officer  
Steve Merritt, public information officer  
Carol Olmstead, chief, Meat Inspection Bureau  
Sherry Rust, administrative assistant, recorder  
Dr. Tahnee Szymanski, field veterinarian, Animal Health Division  
Rob Tierney, supervisor, Bison Management Program, Animal Health Division  
Dan Turcotte, chief, Milk and Egg Bureau  
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**Guests:**

Peter Bogusko, Buffalo Field Campaign  
Jerry Jones, Montana Beef Council  
Charlene Rich, Montana Beef Council  
Mac White, Montana Beef Council  
Tom Hougen, Montana Stockgrowers Association  
Russell Nimitz, Northern Ag Network  
John Scully, producer  
Quinten Kujala, Montana Fish, Wildlife & Parks  
Tim Stevens, NPCA  
Dr. Tom Linfield  
George Trischman, rancher  
Ken McDonald, Montana Fish, Wildlife & Parks  
Nancy Schlepp, Montana Farm Bureau Federation  
Donna Sitz Arthun, Sitz Angus Ranch  
Nicole Rolf, Montana Farm Bureau Federation

**Call to Order**

8:20 a.m.

**GUEST SPEAKER**

Charlene Rich, Montana Beef Council

- presented the Beef Council annual report
- check off funds used for: consumer advertising, retail marketing, international marketing to expand the Montana beef market, and in food service marketing
- 1.6 million head of cattle sold out of Montana last year
- approximately 1.5 million check off dollars paid into the state for those cattle

- 13,000 head of out-of-state cattle sold in Montana with that money going back to the originating state
- \$86,000 were paid to the Department of Livestock from those sales
- October 1 through December 30 approximately 80,000 less cattle sold than last year at this time

**New Business:**DAWSON COUNTY REQUEST

Christian Mackay explained the receipt and content of a letter from Dawson County Commissioners.

- county is voluntarily ending the predator control contract with the Department of Livestock
- asked if they can refund the \$2,400 per capita money paid by the department to Dawson County (per Predator Control Contract) out to county producers along with the county assessments collected for predator control
- George Harris said the money must revert back to the department for other per capita expenditures because per capita money is collected from producers throughout the state

**Jan French moved that the board ask Dawson County Predation Control to return the \$2400 to the department. Brett DeBruycker seconded. The motion carried unanimously**

WILDLIFE SERVICES

Kraig Glazier followed up with the explanation that if Dawson County pulls out of the predator control program it will no longer receive predator control services from them.

Wolf incidents:

- a pair of wolves doing a lot of killing near Reed Point on one or two places were lethally removed
- 23 sheep, 7 goats, and 2 guard dogs were injured or killed
- west of Kalispell a large pack that chronically preyed on livestock required removal
- the pack was a double litter traveling up to 25 miles to hunt

Helicopter Updates removal was required

- the one in Billings is in for a 100 hour checkup
- with 2200 hours on it (out of 40,000 hours) repair costs should be \$20,000 vs. \$35,000

**Division Reports:**ANIMAL HEALTH, Dr. ZaluskiBrucellosis Action Plan

- revised since last meeting after one more planning committee meeting
- issues included budget and OCV
  - eliminated mandatory OCV as not necessary to the BAP
  - clarified budget issues
  - clarified FWP language
- completed revisions of risk evaluation survey
- both documents are available on the department website
- public information efforts
  - local meetings are scheduled with the dates on the department website
  - beginning this afternoon at Headwaters Livestock
- funding:
  - asked USDA for \$150,000 to help get the program started
  - working with the legislature to complete funding
- a number of people have done risk assessments but are asking for whole herd testing
- Christian Mackay stated funding for payment or reimbursement for testing is in the HB 3 supplemental bill which has not yet been scheduled for hearing

- funds are available as soon as the bill is passed therefore any testing during FY09 can be reimbursed (testing after July 1)
- May 27 is the anniversary date after that we can apply for change in status
- takes about 4 months to complete it
- hopefully by fall run will have status back
- there are two ways to go forward
  - encourage producers to test and say we will reimbursement
  - or explain that should the money become available they will be reimbursed
- the plan will sunset following reclassification except for a continued period of testing in a much smaller area

Producer Comments:

John Scully

- Dr Zaluski was committed to go out to the people and listen and take comments into consideration and make changes accordingly
- worked through each issue with producers to come up with the plan
- budget issues and conflicting language concerning FWP were corrected

George Trischman

- seconded remarks from John Scully
- does not think mandatory whole herd testing is a good idea

**Linda Nielsen moved to approve the Brucellosis Action Plan as presented in the latest version. Jan seconded. The motion carried on a roll call vote: Linda Nielsen, aye; Stan Boone, aye; Ed Waldner, aye; Becky Weed, aye; Brett DeBruycker, no; Bill Hedstrom, aye.**

IBMP

Dr. Zaluski explained that IBMP partners have participated in seven meetings

- each 8 to 10 hours over 2 days
- with a goal of defining operations for the 2009 season
- to look at how we manage bison and how do we do it differently now that changes have evolved since 2000 when the document was signed
- the partners updated document once and looking at changing it again
- it can be adjusted based on experience and new scientific findings
- in dealing with the 840 acre parcel sold to private owners from cattle producer (Horse Butte) the plan incorporates two significant changes
  1. cap on the number of bison (up to 100)
    - now does not set number but says if bison move off that property management actions will be taken accordingly
    - the behavior of bison will drive management actions(hazing, etc)
  2. the western management area provides year around tolerance for bull bison in Zone 2
    - low risk – generally migrate back into the Park by end of may or June
    - any bison found on same pasture with cattle will mean immediate management action
- on the North end the plan allows bison to migrate through Royal Teton Ranch property to Park Service property
- was in the initial IBMP with arrangements just completed for this phase
- current plan is flexible enough to change as needed
- if the bison do not behave as anticipated the partners will begin management practices, then look at changes next year
- hazing back by May 15 will continue as before

Christian Mackay signed the modified IBMP plan with the partners understanding that his signature required Board of Livestock approval

**Becky Weed moved that the board approve Mr. Mackay's signature on the IBMP adaptive management plan. Jan French seconded. The motion carried unanimously.**

#### Miscellaneous Animal Health

##### CEM Outbreak

- a venereal disease that affects horses
- originated from breeding farm in Kentucky
- 272 horses exposed from seven positive stallions
- four from a horse farm in Kentucky and three in Illinois
- a total of 30 stallions being tested
- one mare in Montana received semen from an infected stallion
- this is a foreign animal disease – where did it come from?
- importing bovine and equine semen into Montana requires a permit
- there was not permit in our animal health files for this shipment
- information on the exposed mare was made available by the breeding farm records

##### Animal ID

- USDA sent out a memo requiring PIN for producers engaged in regulatory procedures
- RCALF requested a cease and desist order
- USDA rescinded the memo then sent a new memo inserting "may use state or federal" number
- APHIS is updating their rules to standardize the ID number by requiring use of the federal number

**Recess:** 10:05 a.m.

**Reconvene:** 10:30 p.m.

#### DIAGNOSTIC LABORATORY, Dr. Bill Layton

##### Brucellosis Test Numbers

- compared last year's testing totals with November of this year
- with herd plans testing numbers will go up
- 4128 processed in the record day
- staffs 13 in serology on high test days
- this conflicts with other ongoing testing, AI etc
- may need more temporary help, looking a rescheduling

##### AAVLD

- the Lab was granted provisional accreditation through 2009 with the following provisions:
  - provide documentary evidence of Legislative approval of an operational budget
  - approval of facility feasibility study by the Legislature
  - LIMS implementation (close to being implemented)
  - Lab Safety upgrades (eye washers [ordered and installed] and chairs [upholstered 29 with replacement planned in areas of most risk])
  - Strategic Plan for BL3 containment lab (set up MOU to allow use of MSU BL3 lab in the event of an incident)
    - requires training costing approximately \$1,500 to \$2,000 per person
    - ideally would train the four people already trained in Foot & Mouth plus himself
  - 2009 Management Review
  - present documentation by June 5 for Committee review July 2009
    - Management Review – outline
    - essential requirements list
    - goals for last and this Legislative session



Dr Layton requested the board review the goals and decide if they agree with those goals.

**Copier**

- the copier in receiving room used to copy packing slips as unpacking tests needs replacement
- recommends leasing
- would serve two functions
  - receiving room and back up for LIMS system(copier/fax/scan)
- estimate cost at \$175 to \$215 per month
- has asked for bids

**Becky Weed moved to approve the plan for the Lab to solicit bids for leasing a new copier as replacement for the copier in the receiving room. Stan Boone seconded. The motion carried unanimously.**

**NAHLN- National Animal Health Laboratory Network**

Dr. Layton presented a power point explaining what NAHLN is and why it is important to the department

- have received approximately \$100,000 in funding from NAHLN for a variety of equipment
- a new MOU with USDA 580-4 is now allowing NAHLN members to be a part of testing of FAD suspect
- advantages are a more rapid test turn around and not relying on mail system (vs. samples at Plum Island)
- must complete agreement to follow the policy of the network
- serves a real need in case a disaster occurs
- must complete the checklist to continue membership in NAHLN

**MILK & EGG, Dan Turcotte**

- wrapping up dairy relicensing
- egg licensing coming up the first of March

**OPEN MICROPHONE**

**Stephanie Seay Buffalo Field Campaign**

- adaptive management plan changes are not insignificant
- based on bison action, do bison have maps?
- come way too late 1600 wild bison dead last year
- we are not going to stop

**SET NEXT MEETING DATE:**

March 9 & 10, 2009  
Scott Hart Auditorium

**Adjournment**

11:30 a.m.

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BILL HEDSTROM, CHAIRMAN  
BOARD OF LIVESTOCK